

IN THE UNITED STATES PATENT & TRADEMARKS OFFICE

ART UNIT: 3764

EXAMINER: Jerome W. Donnelly

APPLICANT: Donald W. Gordon

SERIAL NO.: 10/758,525

FILED: January 14, 2004

CONFRM. NO.: 5578

FOR: GAME APPARATUS

DOCKET NO. 02187-40001.NP

CERTIFICATE OF MAILING

UNDER 37 C.F.R. § 1.8

DATE OF DEPOSIT: 7/27/2009

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being submitted on the date indicated above via:

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Judy Anderson
Judy Anderson

SECOND AMENDMENT AFTER FINAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Final Action dated March 26, 2009, and responsive to a telephone call from the Examiner pointing out that Claims 16 and 18 in the Amendment After Final were dependent on cancelled Claim 1 (contrary to the indication in the REMARKS of the June 26, 2009 Amendment After Final, Claim 16 and 18 had not been written in amended form to change the dependency from Claim 1 to Claim 9), applicant submits this Second Amendment After Final to correct Claims 16 and 18 to be

dependent on Claim 9 rather than cancelled Claim 1. Although applicant's attorney received a telephone call from Examiner Donnelly pointing out the dependency problem with Claims 16 and 18 and indicating that applicant's Amendment After Final dated June 26, 2009 would be entered and that the Examiner would correct the dependency of Claim 16 and 18 by Examiner's Amendment and the application would be allowed, applicant has not received any confirmation of this and nothing appears in PAIR regarding this. Therefore, applicant files this Second Amendment After Final to correct the dependency of Claim 16 and 18 and presents the same amendments to the claims as in the Amendment After Final dated June 26, 2009. Therefore, applicant herein cancels rejected Claims 1, 5 and 25-27, and amends Claims 2, 6, 8, 13, 16, 18, 28, 30-35, and 37 as follows: